

## REMARKS

Applicants request allowance of the pending claims. Claims 21-30, the claims of Group IV, were elected for prosecution on the merits. Claims 1-20 are withdrawn in view of the Restriction Requirement. Claims 21-30 are now canceled. New claims 31-42, which recite the subject matter originally intended by original claims 21-30, are added. Thus, claims 31 - 42 are pending in the application and are presented for reconsideration in light of the remarks presented herein

### CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 21-30 stand rejected under 35 U.S.C. §112, second paragraph, assertedly because they are indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. With respect to base claim 21, and claim 23, the Examiner asserts/inquires as follows:

In lines 1 and 2 an identification code is recited as being associated with the referring source, however in lines 4 and 5, it is recited to select a referring source identification code... . Is this the same code? If so, the claim makes no sense because the selecting step is already accomplished in line 1 and 2. Second, the step of amending is likewise confusing because why would the address need to be amended to include the code if it is already there? Second, the term amending is wrong because the internet address doesn't change, it may be redefined within the server at which the examining step occurs, but address is owned by the source holder. In claim 23, is the second ID code the same code referred to in claim 21 last line?

In this regard, applicants urge that the claims as presently amended obviate this rejection. Specifically, new base claim 31 recites the "examination of a first request to visit a target site" and "a referring source identifier." Moreover, the redundant use of the term "code" has been eliminated. Thus, the subject being evaluated by the present methods is a "request to visit a target site" and that subject is being evaluated with respect to the presence or absence of a "referring source identifier." Accordingly, applicants submit that the now-pending claims are sufficiently definite for one of ordinary skill in

the art to comprehend their meaning with clarity, and withdrawal of the rejections under 35 U.S.C. §112, second paragraph, is solicited.

#### CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 21-30 stand rejected, assertedly because they are obvious over Bezos *et al.*, U.S. Patent 6,029,141, in view of Lumme *et al.*, U.S. Patent 6,587,693. With respect to the cited references, the Examiner asserts:

Claims 21-30, insofar as they can be understood, are rejected 35 U.S.C. 103(a) as being unpatentable over Bezos *et al.*, U.S. Patent 6,029,141, in view of Lumme *et al.* U.S. Patent 6,587,693. Bezos *et al.* '141 disclose a method of identifying a referring source to and on-line retailer comprising the steps of : examining an Internet address for the presence of an identification code associated with said referring source, wherein said referring source is affiliated with each of said plurality of retailers (col. 14 lines the computer determines whether the store ID represents a valid enrolled associate in the associates database); But, Bezos *et al.* fail to disclose selecting a referring source identification code from a plurality of known identification codes when said address is indicative of a retailer to which said referring source is affiliated; and amending said Internet address to incorporate said selected identification code.

However, Lumme *et al.* disclose providing tables 14/15 which provide a known id code to an ip address (virtual number to an address book) when the SMSC selects the number of a mobile station and amends the address to include the code see col. 4, lines 13-34. It would appear obvious to modify the system in Bezos *et al.* to include the address modification step of Lumme *et al.* because the motivation for this would more to effectively coordinate the address with the source. Re claims 22/27: the step of examining said Internet address occurs when receiving a response to a request to link to said Internet address is answered in Bezos *et al.* by the purchase of the product which is read as the response which obviously must be before the amendment. Re claims 23/30 the second identification code to uniquely identify a user is read as the id code assigned by the SMSC. RE claim 26 Appendix B is read as the other software display RR claim 29 said identification code in said Internet address in a manner required by each of said plurality of retailers is read as the structure of tables 14/15 in Lumme *et al.* Reclaim 28: Official Notice is taken with respect to clicking on a hyperlink to effect information transmission as is the step of discarding of claim 25. RE claim 24. The step of re-issuing

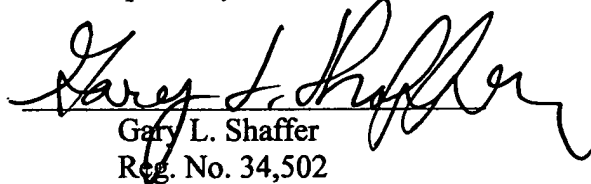
said request to link to said amended Internet address is read as the mere repetition of parts.

In this regard, applicants note that Bezos *et al.* disclose a method for providing a pre-arranged affiliate site identification code in the hypertext linkage displayed to the user that is used to transfer the user to the merchant site, that is, the affiliate's identification is pre-stored in the hypertext link address displayed on an affiliate's website page. In contrast to the present invention, in the normal activity of browsing from website to website, this static identifier is often lost, *inter alia*, because the user may enter other URL's during the same browsing session. In sharp contrast, the methods and software of the present invention are dynamic, that is, they repeatedly examine and evaluate Internet-mediated requests to ensure that the necessary identifiers, or codes, remain appended. In doing so, the present methods eliminate the problems inherent in Bezos *et al.* and Lumme *et al.* Withdrawal of the rejections of record is therefore requested.

In view of the above, applicants urge that claims 31-42 are in condition for allowance and requests a notice thereof. Moreover, applicant reiterates their request for a formal interview with Examiner Fischetti. Applicants therefore request the Examiner to contact the undersigned counsel to arrange such an interview.

Moreover, if any other matter can be resolved by telephone, Examiner Fischetti is hereby requested to contact the undersigned as soon as possible, with any comments, questions or suggestions that he may have.

Respectfully submitted,

  
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